

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 4/16/2013	(3) CONTACT/PHONE Nikki J. Schmidt (805) 781-5496	
(4) SUBJECT Submittal of a resolution of intention to renew the San Luis Obispo County Tourism Business Improvement District (CBID) Ordinance for FY 2013-14 and set May 21, 2013 as the date and time of the public hearing to consider any protest to the renewal of the CBID ordinance.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1) Approve the resolution of intention to renew the San Luis Obispo County Tourism Business Improvement District (CBID) ordinance and fix May 21, 2013 as the date and time of the public meeting to consider any protest to the renewal of the CBID ordinance; 2) Direct the County Clerk to mail an executed copy of the notice of proposed assessment and the resolution of intention to lodging businesses within the CBID; 3) Direct the County Clerk to publish notice of the public meeting no less than ten (10) prior to the date of the public meeting. 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$1 million to \$1.2 million in revenue	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW 			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Nikki J. Schmidt, Administrative Office

DATE: 4/16/2013

SUBJECT: Submittal of a resolution of intention to renew the San Luis Obispo County Tourism Business Improvement District (CBID) Ordinance for FY 2013-14 and set May 21, 2013 as the date and time of the public hearing to consider any protest to the renewal of the CBID ordinance.

RECOMMENDATION

It is recommended that the Board:

- 1) Approve the resolution of intention to renew the San Luis Obispo County Tourism Business Improvement District (CBID) ordinance and set May 21, 2013 as the date and time of the public meeting to consider any protest to the renewal of the CBID ordinance;
- 2) Direct the County Clerk to mail an executed copy of the notice of proposed assessment and the resolution of intention to lodging businesses within the CBID;
- 3) Direct the County Clerk to publish notice of the public meeting no less than ten (10) prior to the date of the public meeting.

DISCUSSION

On May 12, 2009, the Board of Supervisors approved Ordinance No. 3177 establishing the San Luis Obispo County Tourism Business Improvement District. The County Tax Collector began to collect the 2% assessment on July 1, 2009. As required by the Parking and Business Improvement Area Law of 1989, the CBID ordinance and assessment levy on lodging businesses within the business improvement district comes before your Board annually for renewal.

The proposed resolution before the Board begins the renewal process for FY 2013-14 by setting the public hearing for May 21, 2013. During this hearing the Board will: 1) accept any protests to continuing the assessments; 2) determine if 50% or more of the assessed businesses are protesting the levy; and 3) consider whether the assessment should continue for FY 2013-14. Additionally, the Board will be asked to consider and approve the CBID annual report, budget, and FY 2013-14 marketing plan. No changes are being requested to the Ordinance.

OTHER AGENCY INVOLVEMENT/IMPACT

Administrative Office staff provides support and acts as the liaison between the County and the CBID Advisory Board. The Treasurer-Tax Collector's Office collects the assessment. County Counsel and the Clerk-Recorder's Office also provide support to the CBID. The CBID Advisory Board prepared the annual report.

FINANCIAL CONSIDERATIONS

The BID assessment is a government levy that can be audited and enforced in the same fashion as taxes such as the sales and transient occupancy taxes (TOT). Since July 1, 2009, the Tax Collector has been collecting a 2% assessment of the rent charged per occupied room per night from lodging businesses (hotels, motels, bed and breakfasts, and vacation rentals) within the CBID. Information pertaining to collections and expenditures for FY 2012-13 will be reported in the annual report, which will be part of the May 21, 2013 hearing agenda packet.

RESULTS

County staff neither advocates nor opposes the renewal of the CBID ordinance. The lodging industry will determine the value of the assessment by their continual support of the CBID. As a facilitator of a requested program, the County has not established performance criteria beyond legal contractual obligations to expend the funds for identified purposes. The onus is on the designated contractors selected by the CBID Advisory Board to meet the expectations of the lodging business owners paying the assessment. It is assumed the CBID Advisory Board will develop measures tracking the additional numbers of visitors and their financial impact on the industry generated by the marketing programs of a BID.

ATTACHMENTS

1. Exhibit A - Sequence of Events
2. 2013 Resolution of Intention
3. 2013 Notice of Proposed Assessment
4. Map of CBID